

PROB 12B
(7/93)

United States District Court

for

District of New Jersey

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**

(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Tyesha St. Clair

Cr.: 04-00902-001
PACTS Number: 39972

Name of Sentencing Judicial Officer: Honorable Stanley R. Chesler, United States District Court Judge

Date of Original Sentence: 01/13/06

Original Offense: Conspiracy to Commit Identity Theft, 18 U.S.C. 371

Original Sentence: 5 years probation

Type of Supervision: Probation

Date Supervision Commenced: 01/13/06

PETITIONING THE COURT

- ☐ To extend the term of supervision for Years, for a total term of Years.
☒ To modify the conditions of supervision as follows. The addition of the following special condition(s):

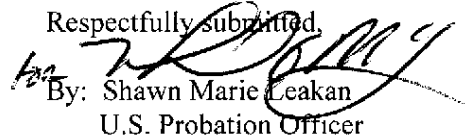
The offender shall pay restitution in monthly installments of \$25.00.

The offender shall participate in a mental health program for evaluation and/or treatment as directed by the U.S. Probation Office. The defendant shall remain in treatment until satisfactorily discharged and with the approval of the U.S. Probation Office.

CAUSE

Due to extenuating financial circumstances verified by the probation office in the Southern District of New York, the offender has been unable to pay restitution in the amount originally ordered by the Court. However, the offender is financially able to make payments in a lesser amount of \$25 per month. Additionally, due to the constant upheaval and turmoil the offender has faced, it is being requested that the condition of mental health treatment be added in the event she is in need of counseling.


Respectfully submitted,


By: Shawn Marie Leakan
U.S. Probation Officer

Date: 09/03/09

THE COURT ORDERS:

- ☒ The Modification of Conditions as Noted Above
☐ The Extension of Supervision as Noted Above
☐ No Action
☐ Other



Signature of Judicial Officer

9/17/09

Date

09/04/2009 11:18

6312343012

CHI TO GORDON

PAGE 01/01

FROM 49
(1/29)

**UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF NEW JERSEY**

**Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extend Term of Supervision**

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

To modify the conditions of supervision as follows. The addition of the following special condition(s):

The defendant shall participate in a mental health program for evaluation and/or treatment as directed by the U.S. Probation Office. The defendant shall remain in treatment until satisfactorily discharged and with the approval of the U.S. Probation Office.

The offender shall pay restitution in monthly installments of \$25.00.

Witness:

Shawn Marie Leaken
U.S. Probation Officer
Shawn Marie Leaken

Signed:

Tyesha St. Clair
Probationer or Supervised Releasee
Tyesha St. Clair

Witness:

Ronald Kutney
Sr. U.S. Probation Officer
Ronald Kutney

9/3/09
DATE

UNITED STATES DISTRICT COURT
PROBATION OFFICE
DISTRICT OF NEW JERSEY

CHRISTOPHER MALONEY
CHIEF PROBATION OFFICER

MICHAEL A. McLEAN
SUPERVISING U.S. PROBATION OFFICER

JOHN A. SKORUPA
SUPERVISING U.S. PROBATION OFFICER

September 3, 2009

109 U.S. COURTHOUSE
402 EAST STATE ST.
TRENTON, NJ 08608
(609) 989-2071
FAX: (609) 989-2367
www.njp.uscourts.gov

Honorable Stanley R. Chesler
United States District Court Judge
417 United States Post Office and Courthouse
Two Federal Square
Newark, New Jersey 07102-3513

RE: St. CLAIR, Tyasha
Dkt. No.: 26491-050
Modification of Conditions of Probation

Dear Judge Chesler,

The above named offender was sentenced by Your Honor on January 13, 2006 to five years probation following her conviction of Conspiracy to Commit Identity Theft, 18 U.S.C. 371, a Class D felony. The offender was ordered to comply with the following special conditions: six months home confinement with electronic monitoring (self-pay), full financial disclosure, no new credit, and restitution in the amount of \$120,000 to be paid in monthly increments of \$75.00.

The offender commenced her probationary term in the Southern District of New York on her day of sentence as she had a residence in the Bronx, New York. She was unemployed and was receiving public assistance for support. She has completed her six month term of home confinement since that time, but has had difficulty establishing a steady residence since that time. She has had several residences and has experienced long periods of unemployment.

In September, 2008, while residing with her grandmother and daughter, she was able to secure employment with the Mosholu Montefiore Community Center as a Group Leader, where she earned \$660 per month. She has refrained from criminal behavior and has tested negative for substance abuse.

Due to her financial situation, the offender has not commenced restitution payments. She does not have the ability to pay \$75 per month, but has agreed with the probation office to make monthly payments in the amount of \$25, commencing immediately, as this amount has been deemed financially appropriate given her present financial situation.

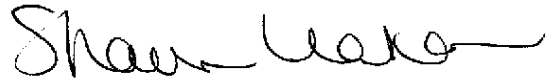
Additionally, due to the turmoil this offender has experienced in her life, the probation office is requesting that a mental health condition also be added in the event that she should need counseling.

It is for these reasons that this Modification of the Conditions of Probation is being proposed to Your Honor for consideration. The offender's financial situation will be reassessed by the probation officer in the Southern District of New York on an on-going basis so as to re-evaluate her ability to pay an re-establish compliance with the Court's original order.

We remain available to discuss this case with Your Honor.

Very truly yours,

CHRISTOPHER MALONEY, Chief
U.S. Probation Officer

A handwritten signature in black ink, appearing to read "Shawn Marie Leakan", with a long horizontal flourish extending to the right.

By: Shawn Marie Leakan
U.S. Probation Officer

A small, handwritten signature in black ink, appearing to read "Mary", with a horizontal line underneath.

/sml